

By: Parker

S.J.R. No. 18

SENATE
A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the legislature to
2 prescribe the qualifications of sheriffs.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Article V, Section 23, of the Texas Constitution
5 is amended to read as follows:

6 Sec. 23. There shall be elected by the qualified voters of
7 each county a Sheriff, who shall hold his office for the term of
8 four years, whose duties, qualifications, [and] perquisites, and
9 fees of office, shall be prescribed by the Legislature, and
10 vacancies in whose office shall be filled by the Commissioners
11 Court until the next general election.

12 SECTION 2. This proposed constitutional amendment shall be
13 submitted to the voters at an election to be held November 2, 1993.
14 The ballot shall be printed to provide for voting for or against
15 the proposition: "The constitutional amendment to allow the
16 legislature to prescribe the qualifications of sheriffs."

4-29-93
5-3-93
5-23-93

By: Parker S.J.R. No. 18
(In the Senate - Filed February 12, 1993; February 15, 1993,
read first time and referred to Committee on Intergovernmental
Relations; April 29, 1993, reported favorably by the following
vote: Yeas 6, Nays 0; April 29, 1993, sent to printer.)

COMMITTEE VOTE

	Yea	Nay	PNV	Absent
Armbrister	x			
Leedom	x			
Carriker				x
Henderson				x
Madla	x			
Moncrief	x			
Patterson				x
Rosson	x			
Shapiro				x
Wentworth				x
Whitmire	x			

SENATE JOINT RESOLUTION

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the proposition: "The constitutional amendment to allow the
legislature to prescribe the qualifications of sheriffs."

* * * * *

Austin, Texas
April 29, 1993

Hon. Bob Bullock
President of the Senate

Sir:

We, your Committee on Intergovernmental Relations to which was
referred S.J.R. No. 18, have had the same under consideration, and
I am instructed to report it back to the Senate with the
recommendation that it do pass and be printed.

Armbrister, Chairman

* * * * *

WITNESSES

FOR AGAINST ON

Name: Ross Schulle	x
Representing: Tx Comm. on Law Enforcement	
City: Austin	

S.J.R. No. 18
FOR AGAINST ON

1
2

3 Name: Carl Griffith
4 Representing: Sheriff's Assn. of Texas
5 City: Beaumont
6 -----

x

**FAVORABLE
SENATE COMMITTEE REPORT ON**

SB SCR (SJR) SR HB HCR HJR 18
By ~~11/28/93~~ Parker
(Author/Senate Sponsor)
4/28/93
(Date)

We, your Committee on INTERGOVERNMENTAL RELATIONS, to which was referred the attached measure, have on 4/28/93, had the same under consideration and I am instructed to report it back with the recommendation (s) that it:

- ☒ do pass and be printed
☐ do pass and be ordered not printed
☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no
A revised fiscal note was requested. ☐ yes ☒ no
An actuarial analysis was requested. ☐ yes ☒ no
Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Armbrister, Chair	✓			
Leedom, Vice-Chair	✓			
Carriker			✓	
Henderson			✓	
Madla	✓			
Moncrief	✓			
Patterson			✓	
Rosson	✓			
Shapiro			✓	
Wentworth			✓	
Whitmire	✓			
TOTAL VOTES	6	0	5	0

COMMITTEE ACTION

S260 Considered in public hearing
S270 Testimony taken

Maryann Ballard
COMMITTEE CLERK

[Signature]
CHAIRMAN

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
73rd Regular Session

February 26, 1993

TO: Honorable Ken Armbrister, Chair
Committee on Intergovernmental
Relations
Senate Chamber
Austin, Texas

IN RE: Senate Joint Resolution No. 18
By: Parker

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 18 (proposing a constitutional amendment authorizing the legislature to prescribe the qualifications of sheriffs) this office has determined the following:

No significant fiscal implication to the State or units of local government is anticipated other than the cost of publication.

The cost of publication of the resolution to the State is \$60,000.

Source: Commission on Law Enforcement Officer Standards and Education;
LBB Staff: JO, JWH, EC, BML, LC

May 3 1993 Engrossed

Betsy Saw
Engrossing Clerk

I certify that the attached is a true and correct
copy of SJR 18, which was
received from the Senate on 5.3.93 and
referred to the Committee on County Affairs

Don M. Murrey
Chief Clerk of the House

1993 MAY -5 PM 3:00
HOUSE OF REPRESENTATIVES
By: Parker

S.J.R. No. 18

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LEGISLATIVE BUDGET BOARD
Austin, Texas

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LBB Staff: JO, JWH, EC, BML, LC

HOUSE COMMITTEE REPORT

1st Printing

MAY 20 AM 9:58

HOUSE OF REPRESENTATIVES

By: Parker
(Stiles)

S.J.R. No. 18

SENATE JOINT RESOLUTION

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SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 2, 1993. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to allow the legislature to prescribe the qualifications of sheriffs."

COMMITTEE REPORT

The Honorable Pete Laney
Speaker of the House of Representatives

MAY 19, 1993
(date)

Sir:

We, your COMMITTEE ON COUNTY AFFAIRS

to whom was referred SJR 18 have had the same under consideration and beg to report
(measure)

back with the recommendation that it

☒ do pass, without amendment.

☐ do pass, with amendment(s).

☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. ☐ yes ☒ no

An author's fiscal statement was requested. ☐ yes ☒ no

A criminal justice policy impact statement was requested. ☐ yes ☒ no

An equalized educational funding impact statement was requested. ☐ yes ☒ no

An actuarial impact statement was requested. ☐ yes ☒ no

A water development policy impact statement was requested. ☐ yes ☒ no

☐ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

House Sponsor of Senate Measure Stiles

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Campbell, Ch.	X			
Gutierrez, V.C.				X
Chisum	X			
Corte	X			
Finnell	X			
Hamric	X			
Kamel	X			
Longoria	X			
Parra	X			
Williamson				X
Zbranek	X			

Total

9 aye
0 nay
0 present, not voting
2 absent

CHAIRMAN

B. Campbell

BILL ANALYSIS

S.J.R. 18

**By: Parker
House Sponsor: Stiles**

BACKGROUND

Currently, the Texas Constitution does not mandate any special qualifications for the position of county sheriff. Article V, Section 23, Texas Constitution, requires each county to elect a sheriff to serve a four-year term and whose duties, pre-requisites, and fees are to be prescribed by law.

PURPOSE

As proposed, S.J.R. 18 authorizes the legislature to prescribe the qualifications of sheriffs.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not grant any additional rulemaking authority to a state agency, officer, department, or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article V, Section 23, Texas Constitution, by requiring the qualifications, as well as the duties, perquisites, and fees of office, of sheriffs elected by qualified voters, to be prescribed by the legislature.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters on November 2, 1993. Sets forth the language of the ballot.

SUMMARY OF COMMITTEE ACTION

Pursuant to a suspension of the five day posting rule made from the House Floor on May 19, 1993, the Committee on County Affairs considered SJR 18 in a formal meeting on May 19, 1993. The Chair laid out SJR 18. The Committee voted to report SJR 18 favorably to the full House, without amendment, with the recommendation that it do pass by a record vote of 9 Ayes, 0 Nays, 0 PNV, and 2 Absent.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
73rd Regular Session

February 26, 1993

TO: Honorable Ken Armbrister, Chair
Committee on Intergovernmental
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Senate Chamber
Austin, Texas

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By: Parker

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Source: Commission on Law Enforcement Officer Standards and Education;
LBB Staff: JO, JWH, EC, BML, LC

Enrolled May 23, 1993
Latsy Spaw
Enrolling Clerk

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cc
SEE

S.J.R. No. 18

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 18 was adopted by the Senate on May 3, 1993, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.J.R. No. 18 was adopted by the House on May 22, 1993, by the following vote: Yeas 128, Nays 1, one present not voting.

Chief Clerk of the House

LEGISLATIVE BUDGET BOARD
Austin, Texas

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BILL ANALYSIS

Senate Research Center

S.J.R. 18
By: Parker
Intergovernmental Relations
3-16-93
As Filed

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BILL ANALYSIS

Senate Research Center

S.J.R. 18
By: Parker
Intergovernmental Relations
7-16-93
Enrolled

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BILL ANALYSIS

Senate Research Center

S.J.R. 18
By: Parker
Intergovernmental Relations
8-31-93
Enrolled

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SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to prescribe the qualifications of sheriffs.

2-12-93

Filed with the Secretary of the Senate

FEB 15 1993Read and referred to Committee on INTERGOVERNMENTAL RELATIONSApril 29, 1993

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

MAY - 3 1993Senate and Constitutional Rules to permit consideration suspended by: { unanimous consent
_____ yeas, _____ naysMAY - 3 1993Read second time, _____, and ordered engrossed by: { unanimous consent
a viva voce vote
_____ yeas, _____ naysMAY - 3 1993

Caption ordered amended to conform to the body of the bill.

Senate and Constitutional 3 Day Rule suspended by a vote of 31 yeas, 0 nays.MAY 3 1993Read third time, _____, and passed by: 31 yeas, 0 naysBetty King
SECRETARY OF THE SENATE

OTHER ACTION:

May 3, 1993
May 3, 1993

Engrossed

Sent to House

Engrossing Clerk

MAY 3 1993

Received from the Senate

MAY 4 1993Read first time and referred to Committee on COUNTY AFFAIRSMAY 19 1993Reported favorably amended, sent to Printer 10:50pm MAY 19 19935-20-93Printed and Distributed 9:58am5-20-93Sent to Committee on Calendars 3:04pmMAY 22 1993Read Second time (amended) and finally adopted
~~failed adoption~~ by Record Vote of 128 yeas, 1 nays 1 present not voting.Read third time (amended) and finally adopted
failed adoption by Record Vote of _____ yeas, _____ nays _____ present not voting.

Caption ordered amended to conform to body of bill.

MAY 23 1993

Returned to Senate.

Betty Murray
CHIEF CLERK OF THE HOUSEMAY 23 1993

Returned from House without amendment.

Returned from House with _____ amendments.

Concurred in House amendments by a viva voce vote _____ yeas, _____ nays.

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____, and _____

_____ House granted Senate request. House conferees appointed: _____, Chairman; _____

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by: _____

{ a viva voce vote
_____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays

93 MAY 20 AM 9:58
HOUSE OF REPRESENTATIVES

167